

WEISS & YOURMAN

JOSEPH H. WEISS □
KEVIN J. YOURMAN *
JORDAN L. LURIE
RICHARD A. ACOCELLI
VAHN ALEXANDER □
MOSHE BALSAM
JOSEPH D. COHEN =
DAVID C. KATZ
JENNIFER R. LIAKOS □
BEHRAM V. PAREKH
LEIGH A. PARKER □
MARK D. SMILOW @
JAMES E. TULLMAN ◇
JACK I. ZWICK
ZEV B. ZYSMAN □

THE FRED FRENCH BUILDING
551 FIFTH AVENUE
SUITE 1600
NEW YORK, NEW YORK 10176
(212) 682-3025
FAX: (212) 682-3010

LOS ANGELES OFFICE
10940 WILSHIRE BLVD.
24TH FLOOR
LOS ANGELES, CA 90024
(310) 208-2800
FAX: (310) 209-2348

* ADMITTED IN CA AND NY
□ ADMITTED IN CA ONLY
= ADMITTED IN CA AND RI
@ ADMITTED IN NY AND NJ
◇ ADMITTED IN CA, NY AND CT

FIRM BIOGRAPHY

The law firm of Weiss & Yourman has offices in Los Angeles and New York City. In courts throughout the United States, the firm has litigated hundreds of stockholder class actions brought for violations of federal securities laws and shareholder class and derivative actions brought for violations of corporate and fiduciary duties. The law firm has served as lead counsel in numerous actions on behalf of defrauded institutions and individuals for whom it has recovered over a billion dollars.

Several courts have commended the firm for its expertise and ability:

In In re United Telecommunications, Inc. Securities Litigation No. 90-2251-0 (D. Kan.), Judge O'Conner stated "the court finds that plaintiffs' counsel were experienced and qualified attorneys with outstanding professional reputations in securities litigation who ably and zealously prosecuted the instant case on behalf of the class."

In In re VeriFone Inc. Securities Litigation, No. C-93-3640 DCJ (N.D. Cal.), Judge Jensen stated "I think the case was handled extremely well, extremely professionally, so I think you've done very well."

In In re Western Digital Securities Litigation, SACV 91-375(A) GLT (RWRx) (C.D. Cal.), Judge Taylor complimented plaintiffs' attorneys' work in the action, specifically noting "the caliber of the work involved [and] the quality of the attorneys involved."

In Georgallas v. Martin Color-Fi, Inc. Civil Action No. 6:95-06483 (D.S.C.), Judge Anderson expressed "the utmost respect" for the work of Weiss & Yourman.

In Bash v. Diagnostek, CV 94-794 M (D.N.M.), Judge Black said the case provided "a model for how commercial litigation should be conducted and can be resolved."

In In re National Medical Enterprises Litigation, CV 93-5223-TJH and CV 93-5313-TJH (C.D. Cal.), Judge Hatter summed up the settlement hearing by saying, "I want to again thank counsel for the work that you put

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into this and hopefully it's a settlement for which the claimants themselves will be appreciative of the results."

Ellison v. American Image Motor, et al., Civil Action No. 97-3608 (S.D.N.Y.): In approving the settlement and fee application, Judge Chin commented that "It has been many years. The case was hard fought, very capable counsel on both sides, and I saw counsel many times. It was a hard fought case. It was a difficult case."... "It's probably not said very often, but in this case I think plaintiffs' counsel are being under paid." ... "Counsel did a great job..."

In In re Santa Fe Southern Pacific Corporation, Consol. Civ. No. 9523 (Del. Ch.), Chancellor Allen of the Delaware Chancery Court approved a settlement and cited the creativity and sophistication of plaintiffs' counsel.

Some of the actions which highlight the firm's accomplishments are:

CASES IN WHICH WEISS & YOURMAN WAS LEAD OR CO-LEAD COUNSEL

Jordan v. California Department of Motor Vehicles (Sacramento Cal.): The California Court of Appeal, Third Appellate District, held that the State of California's \$300 smog impact fee was unconstitutional, paving the way for the creation of a \$665 million fund and full refunds to 1.7 million motorists.

In re Geodyne Resources, Inc. Securities Litigation (Harris Cty. Tex.): A settlement including related litigation totaling over \$200 million was obtained for the class.

In re Tenneco Securities Litigation (D. Tex.): A settlement of \$50 million was obtained for the class.

In re Community Psychiatric Center Securities Litigation (C.D. Cal.): A settlement of \$42.5 million was obtained for the class.

In re Crazy Eddie Securities Litigation (S.D.N.Y.): A settlement of \$42 million was obtained for the class.

In re Apria Healthcare Group Securities Litigation (Orange County Cal.): A settlement of \$42 million for the class was approved in August 2002 by the California Superior Court.

In re Canon Group Securities Litigation (C.D. Cal.): A settlement of \$33 million was obtained for the class.

In re Platinum Software Securities Litigation (C.D. Cal.): A settlement of \$32 million was obtained for the class.

In re United Telecommunications Securities Litigation (D. Kan.): A settlement of \$28 million was obtained for the class.

In re Bergen Brunswick Corp. Sec. Litig., (C.D. Cal.): A settlement of \$27.9 million was obtained for the class.

In re Abbey Healthcare Securities Litigation (C.D. Cal.): A settlement of \$20.5 million was obtained for the

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class.

Feinberg v. Hibernia Corp. (D. La.): A settlement of \$20 million was obtained for the class.

In re Southern Pacific Funding Corp. Sec. Litig., (D. Or.): A settlement of \$19.5 million was obtained for the class.

In re Aura Systems, Inc. Securities Litigation (C.D. Cal.): A settlement of \$18 million was obtained for the class.

In re MK Rail Securities Litigation (D. Idaho): A settlement of \$14.65 million was obtained for the class.

In re California Microwave Securities Litigation (N.D. Cal.): A settlement of \$14 million was obtained for the class.

In re Elscint Ltd Securities Litigation (D. Mass.): A settlement of \$12 million was obtained for the class.

Bash v. Diagnostek (D.N.M.): A settlement of \$11.7 million was obtained for the class.

In re Megafoods Securities Litigation (D. Ariz.): A settlement of \$12 million was obtained for the class.

In re Complete Management, Inc. Securities Litigation (S.D.N.Y.): A settlement of \$10.15 million was obtained for the class.

Berlinsky v. Alcatel (S.D.N.Y.): A settlement of \$8.8 million was obtained for the class.

Lopez v. Checkers Drive-In Restaurants, Inc. (M.D. Fl.): A settlement of over \$8.175 million was obtained for the class.

In re Mesa Airlines Securities Litigation (D.N.M.): A settlement of \$8 million was obtained for the class.

In re Resound Securities Litigation (N.D. Cal.): A settlement of \$8 million was obtained for the class.

In re Castle Energy Corp. Securities Litigation (C.D. Cal.) A settlement of \$7.5 million was obtained for the class.

In re Western Digital, Inc. Securities Litigation (C.D. Cal.): A settlement of \$6.75 million was obtained for the class.

In re Circle K Securities Litigation (D. Ariz.): A settlement of \$6 million was obtained for the class.

In re Aura Systems, Inc. Securities Litigation (C.D. Cal.): A settlement of \$5.55 million was obtained for the class.

In re Ascend Communications Securities Litigation (C.D. Cal.): A settlement of \$5.45 million was obtained

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for the class.

In re Southmark Securities Litigation (D. Tex.): A settlement of \$5 million was obtained for the class.

In re WCT Securities Litigation (C.D. Cal.): A settlement of \$5 million was obtained for the class.

In re Sumitomo Bank of California Securities Litigation (San Francisco Sup. Ct.): A settlement of \$4.95 million was obtained for the class.

In re NextLevel Systems, Inc. Securities Litigation (N.D. Ill.): A settlement of \$4.6 million was obtained for the class.

In re Shopping.com Securities Litigation (C.D. Cal.): A settlement of \$4.5 million was obtained for the class.

In re Denver Bonds Securities Litigation (D. Colo.): A settlement of \$4.5 million was obtained for the class.

In re Molecular Dynamics, Inc. Securities Litigation (N.D. Cal.): A settlement of \$4 million was obtained for the class.

In re Party City Corp. Securities Litigation (D.N.J.): A settlement of \$3.8 million was obtained for the class.

In re Iwerks Securities Litigation (C.D. Cal.): A settlement of approximately \$3.5 million was obtained for the class.

In re Davstar, Inc. Securities Litigation (C.D. Cal.): A settlement of \$3.4 million was obtained for the class.

In re Trident Securities Litigation (N.D. Cal.): A settlement of \$3.15 million was obtained for the class.

In re Offshore Pipelines Securities Litigation (S.D.N.Y.): A settlement of \$3 million was obtained for the class.

Gorga v. Uniroyal Chemical Corp. (Sup. Ct. Conn.): A settlement of \$3 million was obtained for the class.

**CLASS AND DERIVATIVE ACTIONS HANDLED BY WEISS & YOURMAN WHERE A
SIGNIFICANT BENEFIT WAS OBTAINED FOR THE COMPANY AND/OR THE SHAREHOLDERS**

In re Bank of New York Corporate Derivative Litigation (Sup. Ct. NY)

In re Santa Fe Southern Pacific Corporation (Del. Ch.).

In re Genentech Shareholder Litigation (N.D. Cal.).

In re Beverly Enterprises Shareholder Litigation (Del. Ch.).

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In re Tandon Computer Shareholder Litigation (C.D. Cal.).

In re Sears Shareholder Litigation (D. Ill.).

In re Xoma Shareholder Litigation (N.D. Cal.).

In re Castle Energy Corp. Shareholder Litigation (C.D. Cal.).

In re Times-Mirror, Inc. Shareholder Litigation (C.D. Cal.).

In re Lockheed Corp. Shareholder Litigation (C.D. Cal.).

In re Nexgen Securities Litigation (N.D. Cal.).

In re GT Greater Europe Securities Litigation (N.D. Cal.).

In re Pairgain Securities Litigation (S.D. Cal.).

In re AMI Securities Litigation (L.A. Superior).

Wallace v. Fox, et al. (Northeast Utilities) (D. Conn.)

BRIEF BIOGRAPHIES OF WEISS & YOURMAN ATTORNEYS

JOSEPH H. WEISS is a 1972 graduate of Columbia University Law School, where he was an editor of the Law Review. He is also a 1972 graduate of Columbia University Graduate School of Business from which he obtained a Masters in Business Administration. Mr. Weiss is a member of the Bar of the State of New York and is admitted to practice in the Southern District of New York, the Eastern District of New York, the Courts of Appeal for the First, Second, Third, Ninth and Federal Circuits, and has been admitted to practice in numerous other federal and state courts. He specializes in prosecuting class and derivative actions throughout the United States and has been appointed lead counsel and successfully concluded numerous such actions.

KEVIN J. YOURMAN heads the Los Angeles office. He received his B.A. degree, *cum laude* from Adelphi University in 1979 and graduated from Rutgers University School of Law-Camden in 1982 with a

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specialty in tax law. Mr. Yourman is a member of the State Bars of New York and California and is admitted to practice in the Southern and Eastern Districts of New York, the Southern, Central, Eastern and Northern Districts of California, and the Ninth and Tenth Circuit Courts of Appeal.

Mr. Yourman has been practicing in the area of shareholder litigation and securities class actions since 1985 and has been named lead counsel or had significant involvement in hundreds of class and derivative actions throughout the United States.

JORDAN LURIE is a partner in the Los Angeles office. Mr. Lurie received his law degree in 1987 from the University of Southern California Law Center where he was Notes Editor of the University of Southern California Law Review. He received his undergraduate degree from Yale University in 1984 (*cum laude*). Mr. Lurie has participated in all aspects of class actions. Mr. Lurie is the co-author of "Postponing a Municipal Court Election: The November Election Provision of Government Code Section 71180(b)," California Courts Commentary, November 1989; co-author of "Chapter 54 - Consent Judgment" and "Chapter 55 - Submitted Case," Civil Procedure Before Trial (1990), published by California Continuing Education of the Bar; and author of "Rx for Pharmacy Malpractice: California's New Duty to Consult," CEB Civil Litigation Reporter, December 1991.

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Mr. Lurie also has been a featured speaker at California Mandatory Continuing Legal Education seminars regarding securities fraud and class actions. Mr. Lurie is a member of the State Bar of California and is admitted to practice before the United States District Courts for the Northern, Southern, Central and Eastern Districts of California.

MOSHE BALSAM is a senior associate in the New York office. He graduated from Brooklyn Law School in 1981 with a specialty in securities law. He was admitted to the New York State Bar in 1982. Mr. Balsam is also a member of the bars of the United States District Courts for the Southern and Eastern Districts of New York and has been admitted to practice before various other state and federal courts. He has participated in all aspects of numerous class action and shareholder derivative cases.

DAVID C. KATZ is a senior associate in the New York office. He is a 1988 Graduate of Benjamin N. Cardozo School Of Law. He is admitted to the New York State Bar and the United States District Courts for the Southern and Eastern Districts of New York.

JOSEPH D. COHEN is a senior associate in the New York office. He graduated from Case Western Reserve University School of Law in May 1989, where he received an award for excellence in Business Law. He received an LL.M in Corporate law from New York University in 1990. Mr. Cohen has co-authored several articles: "Mitsubishi and Shearson: A Misplaced Trust in Arbitration," New England Business Law Journal, 1990; "The Effects of Tax Reform on Golden Parachutes," North Atlantic Regional Business Law Review, August 1988; "Dual Class Common Stock and Its Effects on Shareholders and Legislators," American Business Law Association National Proceedings, August 1988.

Mr. Cohen is admitted to the State Bars of California and Rhode Island, as well as the United States District Courts for the Central, Southern and Northern Districts of California.

JAMES E. TULLMAN is an associate in the New York office. He graduated from the University of Delaware (B.A., 1988), and The Jacob D. Fuchsborg Law Center of Touro College (J.D., 1991), where he was

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an editor of the Journal of the Suffolk Academy of Law, Touro College, 1990-1991. Mr. Tullman is admitted to the state bars of Connecticut, New York, and California, as well as the United States District Courts for the Southern and Eastern Districts of New York, the Northern, Central and Southern Districts of California, and the United States Court of Appeal for the Third Circuit.

RICHARD A. ACOCELLI is an associate in the New York Office. He received his law degree in 1990 from St. John's University of Law. He is admitted to the State Bar of New York and the United States District Courts for the Southern and Eastern Districts of New York.

JACK ZWICK is an associate in the New York Office. He received his law degree in 1993 from Benjamin N. Cardozo School of Law. He is admitted to the New York State Bar and the United States District Courts for the Southern and Eastern Districts of New York.

LEIGH PARKER is an associate in the Los Angeles office. She graduated from Indiana University (B.A. 1981), and received her M.I.M. in International Management from the American Graduate School of International Management in 1982. Ms. Parker received her J.D. from Loyola Law School in 1993. Ms. Parker co-authored "Trade in Culture," 22 Denver Journal of Int'l Law and Policy 155 (1993). She is admitted to the Bar of the State of California and the United States District Courts for the Central, Northern, Southern and Eastern Districts of California, as well as the Ninth Circuit Court of Appeal.

MARK SMILOW is an associate in the New York office. He graduated Benjamin N. Cardozo School of Law in 1993, *magna cum laude*, where he was a member of the Cardozo Law Review. He is admitted to the New York and New Jersey State Bars, and the United States District Courts for the Southern and Eastern Districts of New York.

VAHN ALEXANDER is an associate in the Los Angeles office. He graduated from the University of California, Los Angeles (B.A. 1990), and from Loyola Law School (J.D. 1993), where he was a member of the Scott Moot Court Honor's Board (1993 - Jessup Team). Mr. Alexander is admitted to the Bars of the State

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of California and the United States District Courts for the Central, Northern, Southern and Eastern Districts of California.

ZEVE B. ZYSMAN is an associate in the Los Angeles office. He graduated from the University of Southern California (B.A. 1991), and received his law degree from the University of California, Hastings College of the Law (J.D. 1994). Mr. Zysman is admitted to the Bar of the State of California and the United States District Court for the Central District of California.

BEHRAM V. PAREKH is an associate in the Los Angeles office. He graduated from the University of California, Irvine (B.A. 1992), and received his law degree and a Certificate in Alternative Dispute Resolution from the Pepperdine University School of Law (J.D., *cum laude*, 1995). Mr. Parekh is admitted to the Bar of the State of California, to the United States Court of Appeals for the Ninth Circuit, and to the District Courts for the Northern, Central, Eastern and Southern Districts of California, the Western District of Michigan and the District of Colorado.

JENNIFER R. LIAKOS is an associate in the Los Angeles office. She graduated from Western Michigan University in 1994 (B.A., English), and received her law degree from The Thomas M. Cooley School of Law (J.D., *cum laude*, 1999). She is admitted to the Bar of the State of California and the United States District Court for the Central District of California.